

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. Contract ID Code Firm-Fixed-Price		Page 1 Of 6	
2. Amendment/Modification No. 0001		3. Effective Date 2007MAY10		4. Requisition/Purchase Req No. SEE SCHEDULE		5. Project No. (If applicable)	
6. Issued By U.S. ARMY TACOM LCMC AMSTA-AQ-ADBA MARY PASQUAL (586)753-2734 WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: PASQUALM@TACOM.ARMY.MIL		Code W56HZV		7. Administered By (If other than Item 6)		Code	
				SCD PAS ADP PT			
8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)				<input checked="" type="checkbox"/>		9A. Amendment Of Solicitation No. W56HZV-07-R-G093	
				<input type="checkbox"/>		9B. Dated (See Item 11) 2007APR27	
				<input type="checkbox"/>		10A. Modification Of Contract/Order No.	
				<input type="checkbox"/>		10B. Dated (See Item 13)	
Code		Facility Code					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing items 8 and 15, and returning <u>2 signed</u> copies of the amendments: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. Accounting And Appropriation Data (If required)							
13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS It Modifies The Contract/Order No. As Described In Item 14.							
<input type="checkbox"/>		A. This Change Order is Issued Pursuant To: The Contract/Order No. In Item 10A. The Changes Set Forth In Item 14 Are Made In					
<input type="checkbox"/>		B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).					
<input type="checkbox"/>		C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:					
<input type="checkbox"/>		D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the Issuing Office.							
14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) SEE SECOND PAGE FOR DESCRIPTION							
<p>Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.</p>							
15A. Name And Title Of Signer (Type or print)				16A. Name And Title Of Contracting Officer (Type or print)			
15B. Contractor/Offeror _____ (Signature of person authorized to sign)		15C. Date Signed		16B. United States Of America By _____ /SIGNED/ (Signature of Contracting Officer)		16C. Date Signed	
NSN 7540-01-152-8070 PREVIOUS EDITIONS UNUSABLE				30-105-02		STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243	

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SECTION A - SUPPLEMENTAL INFORMATION

The purpose of this amendment is to make the following changes:

- 1. Revise Attachment 004 to unlock the cells needed to provide the requested information.
- 2. Modified paragraph M.2.2.3 to read: For purposes of evaluating the U.S. Government's transportation costs for FOB Origin Hardware CLINs and Parts CLINs, the FOB Point is Umm Qasr, Iraq.

Section M is reprinted in its entirety with this amendment.

All other terms and conditions remain unchanged and in full force and effect.

The closing date and time remain unchanged at May 29, 2007, 1:00 p.m. EDT.

*** END OF NARRATIVE A 0002 ***

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SECTION J - LIST OF ATTACHMENTS

List of Addenda	Title	Date	Number of Pages	Transmitted By
Attachment 004	PRICING QUESTIONNAIRE	10-MAY-2007	013	ELECTRONIC IMAGE

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SECTION M - EVALUATION FACTORS FOR AWARD

M.1 Source Selection Process

M.1.1 Source Selection Authority. The Source Selection Authority (SSA) is the official designated to direct the source selection process and select the Offeror for the contract award.

M.1.2 Source Selection Evaluation Board (SSEB). An SSEB has been established by the U.S. Government to evaluate proposals in response to this solicitation. The SSEB is comprised of technically qualified individuals who have been selected to conduct this evaluation in accordance with the evaluation criteria listed for this solicitation. Careful, full, and impartial consideration will be given to all proposals received in response to this solicitation.

M.1.3 Award Without Discussions. The U.S. Government intends to award a contract without discussion, but reserves the right to hold discussions if necessary. Where award will be made without discussions, exchanges with Offerors are limited to Clarifications as defined in FAR 15.306(a). Therefore, the Offeror's initial proposal should contain the Offeror's best terms from a technical, delivery, small business participation, and price standpoint.

M.1.4 Two-Step Evaluation Process. The evaluation of proposals in response to this solicitation is structured in two phases. Phase I is an evaluation of the Offeror's technical proposal. This evaluation will be on an acceptable/not acceptable basis. Any Offeror's proposal assessed as not acceptable in Phase I will no longer be considered for award.

Under Phase II of the evaluation process, those proposals found acceptable under the Phase I evaluation will be evaluated using a tradeoff process to determine which proposal is most advantageous to the U.S. Government. (See M.2.2.)

M.2 Evaluation Process

M.2.1 Phase I Evaluation Technical Factor. Phase I will be an acceptable/not acceptable evaluation of the Technical proposal meeting the contract specification (Attachment 001). The determination of "acceptable" will be based on an evaluation of the technical proposal against the following definition:

An "Acceptable" Technical proposal is a proposal where there is essentially no doubt, based on the Offeror's proposal, that the offered supplies will meet each of the specification requirements. This assessment will be performed using the information contained in the Technical Information Questionnaire, as well other information supplied by the Offeror to support conformance of the supplies to each specification requirement (e.g. commercial literature, vendor data, narrative descriptions of conformance to specification requirements, test data, etc).

NOTE: Technical performance beyond the minimum acceptable, as defined above, will not be given extra evaluation credit, nor will extra credit be given for providing items or features described as "desired".

Under the Technical Factor evaluation, the U.S. Government will also assess the Offeror's proposal to have a dealer available to support the hardware being delivered. This will be done on an acceptable/not acceptable basis, and will be based upon the information provided by the Offeror. To be acceptable, the Offeror's submitted information must demonstrate the availability of a dealer in the SWA region who meets the requirement stated in the Technical Information Questionnaire (Attachment 002).

M.2.2 Phase II Evaluation Best Value. Phase II of the evaluation is a best value process utilizing source selection tradeoff procedures to select the most advantageous offer from among those Phase I proposals assessed as acceptable. Under Phase II, the SSA will weigh the merits in the Delivery Factor and the Small Business Participation Factor against the evaluated price to the U.S. Government to determine which proposal, in the SSA's judgment, represents the best value to the U.S. Government. The Technical Factor proposal will not be considered in the Phase II best value award decision. As part of the tradeoff determination of best value, the relative advantages, disadvantages, and risks of each proposal will be considered.

The Delivery Factor is more important than the Price Factor. The Price Factor is more important than the Small Business Participation Factor. The Delivery Factor and the Small Business Participation Factor combined are more important than the Price Factor.

M.2.2.1 Delivery Factor. The Delivery Questionnaire (Attachment 003), as completed by the Offeror, forms the primary basis for the U.S. Government's evaluation of delivery. The U.S. Government's assessment will identify the proposed delivery schedules for FOB Origin and for FOB Destination. Your offer will be evaluated on the basis of the dates (identified on the electronic Delivery Questionnaire, Attachment 003) of the Offeror's proposed Days After Receipt of Order (DARO) for completion of deliveries at FOB Origin and to the final FOB Destination point in Umm Qasr, Iraq (reference Clause F.2 Shipping Instructions/Final Delivery Point) of the U.S. Government's Total Estimated Initial Order Quantity of 596 ATVs and 596 ATV Trailers.

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The delivery evaluation will assess: 1) the extent to which contract hardware deliveries of the U.S. Government's Total Estimated Initial Order Quantities will satisfy the solicitation's objective delivery schedules for FOB Origin and for FOB Destination; and 2) the Offeror's level of risk in achieving the proposed delivery schedules. The delivery factor evaluation will be performed using the information provided in the Delivery Questionnaire as well as the substantiating information provided by the Offeror, including OEM Commitment Letters and any other information available to the U.S. Government. The U.S Government's assessment of the Offeror's delivery risk level may include internet searches, inquiry of identified points of contact, on-site visits to proposed performance locations, and review of delivery timeliness on prior efforts.

For purposes of this solicitation, for FOB Origin, the objective delivery date for the U.S. Government's Total Estimated Initial Order Quantity of 591 ATVs for FOB origin is 210 DARO, and for FOB Destination, the objective delivery date for the U.S. Government's Total Estimated Initial Order Quantity of 5 ATVs is 210 DARO; the objective delivery date for the U.S. Government's Total Estimated Initial Order Quantity of 591 ATV Trailers for FOB origin is 210 DARO, and for FOB Destination, the objective delivery date for the U.S. Government's Total Estimated Initial Order Quantity of 5 ATV Trailers is 210 DARO. The FOB Origin and FOB Destination DAROs provided on the Delivery Questionnaire for the U.S. Government's Total Estimated Initial Order Quantity of 596 ATVs and 596 ATV Trailers will be incorporated into the Section F clause Delivery Schedule for Delivery Orders.

M.2.2.2 Small Business Participation Factor. This provision applies to every Offeror (U.S. and non-U.S.), regardless of size-status or location of its manufacturing facility or headquarters.

The U.S. Government will evaluate the extent of small business concern participation in terms of the percentage of total subcontracted dollars which the Offeror credibly proposes to subcontract to U.S. small business concerns (Small Business, Small Disadvantaged Business, Woman-Owned Small Business, Veteran-Owned Small Business, Service-Disabled Veteran-Owned Small Business, HUBZone Small Business and/or Historically Black Colleges and Universities/Minority Institutions) in the performance of the contract. For the purpose of this evaluation, the extent of prime Offeror (or joint venture partner/teaming arrangement) participation in proposed contract performance, where the Offeror is a U.S. small business concern for the NAICS code applicable to this solicitation, will also be considered small business participation.

The evaluation will include the following:

(1) The extent to which the proposal identifies participation of U.S. Small Business Concerns (to include, as described above, the participation of the Offeror if it is a U.S. Small Business Concern). The extent of participation of such concerns shall be evaluated in terms of the percentage of the total subcontract amount (to include, as described above, the participation of the Offeror if it is a U.S. Small Business Concern).

(2) An assessment of the probability that the Offeror will satisfy the requirements of FAR 52.219-8 and FAR 52.219-9 (as applicable to the Offeror) and achieve the levels of Small Business Participation identified in the proposal. This assessment will be based upon both:

- a. A proposal risk assessment of the Offeror's proposed Small Business Participation Approach; and
- b. A performance risk assessment of prior achievements in satisfying commitments and requirements under FAR 52.219-8 and FAR 52.219-9, if applicable.

(3) Offerors are advised that they will be evaluated under the Small Business Participation Factor based upon the risk and extent of the Offeror credibly achieving the U.S. Government's goals for U.S. small business concern participation.

Goals for evaluation are:

- *Small business concern participation (including all subcategories of small business concerns) of 10% or more; and
- *U.S. small disadvantaged business concern participation of 2.2% or more.

M.2.2.3 Price Factor. The Price Factor will be assessed based upon total evaluated price to include an assessment of price reasonableness and realism to the U.S Government.

Realism is measured by whether or not the proposal price accurately reflects the Offeror's approach in meeting the solicitation requirements and objectives, as well as an expectation that the solicitation requirements and objectives will be met at a price that will not result in a net loss to the Offeror.

Reasonableness is measured by whether or not the offered price exceeds what would be incurred by a prudent person in the conduct of competitive business. The U.S. Government may reject a proposal which is not realistic, or not reasonable, as to price.

For FOB Origin, all vehicles and parts will be inspected and accepted at FOB Origin.

For FOB Destination to Iraq, all vehicles and parts will be inspected at Origin, and accepted at FOB Destination Iraq.

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The Total Evaluated Price will equal:

- (1) The sum of all the total amounts for each HARDWARE CLIN and PARTS CLIN in Section B, plus
- (2) Transportation costs, as determined by the TACOM-LCMC Transportation Office, to be added for all FOB Origin HARDWARE and PARTS CLINs.

For purposes of evaluating the U.S. Government's transportation costs for FOB Origin Hardware CLINs and Parts CLINs, the FOB Point is Umm Qasr, Iraq.

The unit prices and total amounts listed in Section B must match those on the Pricing Questionnaire (Attachment 004).

M.3 Contractor Responsibility and Eligibility for Award. The U.S. Government will award a contract to the Offeror that:

- (1) Represents the best value to the U.S. Government, and
- (2) Submits a proposal that meets all the material requirements of this solicitation, and
- (3) Meets all the responsibility criteria at FAR 9.104.

To make sure that the Offeror meets the responsibility criteria at FAR 9.104, the U.S. Government may arrange a visit to the Offeror's plant and perform a pre-award survey. If the Offeror fails to provide the U.S. Government with the data within seven (7) days from the date the request was received, or if the Offeror refuses to have the U.S. Government visit their facility, the Offeror's proposal may be determined non-responsible.

M.4 Rejection of Offers. The U.S. Government may reject any proposal which:

- (1) Merely offers to perform work according to the RFP terms or fails to present more than a statement indicating its capability to comply with the RFP terms without support and elaboration, as specified in the solicitation; or
- (2) Reflects an inherent lack of technical competence or a failure to comprehend the complexity and risks required to perform RFP requirements due to submission of a proposal that is unrealistically high or low in price and/or unrealistic in terms of technical or schedule commitments; or
- (3) Contains any unexplained, significant inconsistency between the proposed effort and the proposed price, which implies the Offeror has (1) an inherent misunderstanding of the scope of work, or (2) an inability to perform the resultant contract; or
- (4) Is unbalanced as to prices. An unbalanced offer is one which is based on prices significantly high or low for one given ordering year versus another ordering year; or
- (5) Fails to meaningfully respond to the proposal preparation instructions specified in the solicitation.

*** END OF NARRATIVE M 0001 ***